

1 **SAO**

Kevin A. Brown, Esq. (Bar #7621)

2 Jill P. Northway, Esq. (Bar #9470)

3 BROWN, BONN & FRIEDMAN, LLP

5528 South Fort Apache Road

4 Las Vegas, NV 89148

(702) 942-3900

5 (702) 942-3901 FAX

kbrown@brownbonn.com

6 jnorthway@brownbonn.com

7 Attorneys for Third-Party Defendant

8 NEVADA COUNTERTOP CORPORATION

9 UNITED STATES DISTRICT COURT

10 CLARK COUNTY, NEVADA

11  
12 BRITTANY & ANTHONY LOPEZ, Husband  
and Wife; PAULA EARL-MCCONICO &  
13 WILLIE MCCONICO, Husband and Wife;  
MARTIN & VERONICA FREEMAN, Husband  
14 and Wife; TIMMY LE & NGUYEN TRINH,  
Husband and Wife; GERDA PIERROT;  
15 SHAWN YBARRA; SHELBY MCEVOY &  
KENNETH PFEIFER, Husband and Wife;  
16 PABLO ECHEVARRIA & PATREASE  
ASHLEY, Husband and Wife; NICHOLAS  
17 SPELDRICH & MARYANN UNDIS; SHUREN  
ZHANG & PING YUE, Husband and Wife;  
18 ROBYN COOPER; LINDA YARBROUGH;  
SOON LEWIS; NICOLE JENKINS;  
19 MATTHEW BACHMAN & TIMOTHY  
THOMPSON; STEVE FELDMAN; JENNIFER  
20 DURHAM; JENNIFER HOUGHLAND; SETH  
& KRISTAL MACKERT, Husband and Wife;  
21 LILLIE A. BANKS; NATHAN & KYLEE  
REEDER; DEREK BAO & NICOLE  
22 SHINAVER, Husband and Wife; JEROME A.  
REYES; PAUL E. MELENDEZ; SCOTT &  
23 HOLLY WORTLEY, Husband and Wife;

24  
25  
26 Plaintiffs,

27 v.

CASE NO.: 2:16-cv-01754-RFB-CWH

DEPARTMENT

(ELECTRONIC FILING CASE)

**THIRD-PARTY DEFENDANT NEVADA  
COUNTERTOP CORPORATION'S  
STIPULATION AND ORDER FOR  
DISMISSAL WITH PREJUDICE  
AND TO DEEM THE SETTLEMENT  
AGREEMENT AND RELEASE  
EXECUTED BY NEVADA COUNTERTOP  
CORPORATION**

1 U.S. HOME CORPORATION AND  
2 GREYSTONE NEVADA, LLC; and DOES 1  
through 100, inclusive,

3 Defendants.

4 U.S. HOME CORPORATION AND  
5 GREYSTONE NEVADA, LLC,

6 Third-Party Plaintiffs,

7 v.

8  
9 THE A.C. HOUSTON LUMBER COMPANY, a  
Nevada corporation; AMERICAN ASPHALT &  
10 GRADING COMPANY, a Nevada corporation,  
RCR PLUMBING AND MECHANICAL, INC.,  
11 a California corporation; ATRIUM DOOR AND  
WINDOW COMPANY- WEST COAST, a  
12 Delaware Corporation; ATRIUM DOOR AND  
WINDOW COMPANY OF ARIZONA, a  
13 Delaware corporation; ALLARD  
ENTERPRISES, INC. dba AR IRON, a Nevada  
14 corporation; BEE-LURE PAINTING, a Nevada  
close corporation; BANKER INSULATION,  
15 INC., an Arizona corporation; BRASS2COPPER  
MECHANICAL, INC., a Nevada corporation;  
16 BURNHAM PAINTING & DRYWALL CORP.,  
a Nevada close corporation; CBC FRAMING,  
17 INC., a California corporation; C  
CONSTRUCTION, INC., a Delaware  
19 corporation; SELECTBUILD CORPORATION,  
INC., a Delaware corporation; CAMPBELL  
20 CONCRETE OF NEVADA, INC., a Nevada  
corporation; FLOORS-N-MORE, LLC dba  
21 CARPETS-N-MORE, a Nevada limited liability  
company; CHICAGO PAINTING, INC., a  
22 Nevada corporation; CONCRETE SERVICES,  
INC., a Nevada corporation; CONTRACT  
23 DECOR, INC., an Oklahoma corporation;  
COOPER ROOFING CO., a Nevada corporation;  
25 COOPER ROOFING CO., INC., a Nevada  
corporation; LUKES TAR CORPORATION dba  
26 CHAMPION MASONRY, a Nevada corporation;  
CUSTOM HEARTH DISTRIBUTORS, INC., a  
27 Nevada corporation; DAWN FRAMING, INC., a  
28 Nevada corporation; CIRCLE S

1 DEVELOPMENT CORPORATION dba DECK  
2 SYSTEMS NEVADA, a Nevada corporation;  
3 DISTINCTIVE MARBLE, INC., an Arizona  
4 corporation; DOUBLE A ELECTRIC, LLC, a  
5 Nevada limited-liability company; DRI  
6 RESIDENTIAL CORPORATION- NEVADA, a  
7 Nevada corporation; DRI RESIDENTIAL  
8 CORPORATION, a California corporation;  
9 EAGLE PLASTERING, INC. fka SUNDANCE  
10 PLASTERING, a Nevada corporation;  
11 EXECUTIVE PLASTERING, INC., a Nevada  
12 corporation; EXECUTIVE PLUMBING, INC., a  
13 Nevada corporation; EXTREME CONCRETE,  
14 LLC, a Nevada limited-liability company; TRUE  
15 TEAM PARTNER, LLC dba GALE BUILDING  
16 PRODUCTS, a Nevada limited-liability  
17 company; GENERAL ELECTRIC COMPANY,  
18 a New York corporation; HARRISON DOOR  
19 COMPANY, a Nevada corporation; HOUSTON-  
20 STAFFORD ELECTRIC, INC., a Texas  
21 corporation; HOUSTON-STAFFORD  
22 ELECTRICAL CONTRACTORS LIMITED  
23 PARTNERSHIP, a Texas limited partnership;  
24 INFINITY BUILDING PRODUCTS, LLC, an  
25 Arizona limited-liability company; HUTCHINS  
26 DRYWALL, INC., a Nevada corporation;  
27 INTERSTATE PLUMBING & AIR  
28 CONDITIONING, LLC, a Nevada limited-  
liability company; JAYAR  
MANUFACTURING, INC., a Texas corporation;  
JOHNSON ELECTRIC INC., a Nevada  
corporation; KNIPP BROTHERS, INC. dba KBI  
CONSTRUCTION, an Arizona corporation;  
K&K DOOR & TRIM, LLC, a Nevada limited-  
liability company; K&K FRAMERS, LLC, a  
Nevada limited-liability company;  
KENNINGTON PLASTERING NEVADA, a  
Nevada corporation; LARRY METHVIN  
INSTALLATIONS, INC., a California  
corporation; LAS VEGAS CULTURED  
MARBLE, INC., a Nevada corporation; MASCO  
CABINETRY, LLC, a Michigan limited-liability  
company; MERILLAT INDUSTRIES, INC., a  
Michigan corporation; THE MASONRY  
GROUP NEVADA, INC., a Nevada corporation;  
NEVADA COUNTER TOP CORPORATION, a  
Nevada corporation; POWER HOUSE

1 PLASTERING, a Nevada corporation; HIRSCHI  
2 MASONRY, LLC, a Nevada limited-liability  
3 company, NEVADA STAIRS, INC., a Nevada  
4 corporation; NEW CRETE, LLC, a Nevada  
5 limited-liability company; PETERSEN-DEAN,  
6 INC., a California company; QUALITY BUILT,  
7 LLC, a California limited-liability company;  
8 QUALITY WOOD PRODUCTS, LTD., a  
9 Nevada corporation; RED ROCK  
10 MECHANICAL, LLC, a Nevada limited liability  
11 company; WEST COAST AIR  
12 CONDITIONING, LLC, a Nevada limited  
13 liability company REPUBLIC ELECTRIC, INC.,  
14 a Nevada corporation; ROADRUNNER  
15 DRYWALL CORP., a Nevada corporation; SBS  
16 CONSTRUCTION, INC., a Nevada corporation;  
17 SELECTBUILD CONSTRUCTION, INC., a  
18 Delaware corporation; SILVER STATE STEEL  
19 GROUP, INC., a Nevada corporation; SIERRA  
20 AIR CONDITIONING, INC., a Nevada  
21 corporation; SILVER STATE FIREPLACES,  
22 INC., a Nevada corporation; SOUTHWEST  
23 GLAZING & WINDOWS, LLC, a Nevada  
24 limited-liability company; STATE  
25 INSULATION, LLC, a Nevada limited-liability  
26 company; SUN CITY LANDSCAPES & LAWN  
27 MAINTENANCE, INC., a Nevada corporation;  
28 SUNRISE CARPENTRY, INC., an Arizona  
corporation; T AND F MARBLE & GRANITE,  
INC., a Nevada corporation; AMERICAN  
WOODMARK CORP. dba TIMBERLAKE  
CABINET COMPANY, a Nevada corporation;  
AMENDE' CABINET CORPORATION dba  
TIMBERLAKE CABINET COMPANY, a  
Virginia corporation; T&R PAINTING AND  
DRYWALL, LLC, a Nevada limited-liability  
company; T&R CONCRETE REPAIR AND  
DESIGN, INC., a Utah corporation; TITAN  
STAIRS & TRIM, INC., a Nevada corporation;  
TOWER BUILDERS, LLC, a Nevada limited-  
liability company; TRI-CITY DRYWALL, INC.,  
a Nevada corporation; ULTIMATE  
ELECTRONICS, INC., a Delaware corporation;  
UNIQUE-SCAPE AND DESIGN, a Nevada  
corporation; VALENTE CONCRETE, LLC, a  
Nevada limited-liability company; WESTERN  
SHOWER DOOR, INC., a Nevada corporation;

1 WEST COAST COUNTERTOPS, INC., a  
2 Nevada corporation; WEST COAST  
3 PROPERTY CONSULTANTS, INC., a  
4 California corporation; WESTCOR  
5 CONSTRUCTION, a Nevada corporation; XO  
6 WINDOWS NEVADA, LLC, a Nevada  
7 corporation; and ZEPEDA BROS. PAINT &  
8 DRYWALL, LLC, a Nevada limited-liability  
9 company,

10 Third-Party Defendants.

11 **THIRD-PARTY DEFENDANT NEVADA COUNTERTOP CORPORATION'S**  
12 **STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE AND TO**  
13 **DEEM THE SETTLEMENT AGREEMENT AND RELEASE EXECUTED**  
14 **BY NEVADA COUNTERTOP CORPORATION**

15 PLEASE TAKE NOTICE that Third-Party Plaintiff, U.S. HOME CORPORATION AND  
16 GREYSTONE NEVADA, LLC, by and through its attorney, Sarah Odia, Esq., of the law firm of  
17 PAYNE & FEARS, LLP, and Third-Party Defendant, NEVADA COUNTERTOP  
18 CORPORATION by and through its attorney of record, Kevin A. Brown, of the law firm of  
19 BROWN, BONN & FRIEDMAN, LLP, and hereby stipulate to dismiss Third-Party Defendant,  
20 NEVADA COUNTERTOP CORPORATION, from the action with prejudice. The parties  
21 further stipulate to Deem the Settlement Agreement and Release Executed by NEVADA  
22 COUNTERTOP CORPORATION, because NEVADA COUNTERTOP CORPORATION is an  
23 out of business enterprise with no ability to sign the Settlement Agreement. The Parties agree  
24 that in connection with this dismissal, each party to bear its own attorney's fees and costs.

25 ///

26 ///

27 ///

28 ///

///

1 This Stipulation is entered into in good faith, in the interests of judicial economy and not  
2 for the purposes of delay.

3  
4 DATED: 12-11-17

PAYNE & FEARS



Sarah J. Odia, Esq.

PAYNE & FEARS


6385 S. Rainbow Blvd., Suite 220

Las Vegas, NV 89118

Attorneys for U.S. HOME CORPORATION

9  
10 DATED: 12-14-17

BROWN, BONN & FRIEDMAN, LLP

  
Kevin A. Brown, Esq. (Bar #7621)

Jill P. Northway, Esq. (Bar #9470)

BROWN, BONN & FRIEDMAN, LLP

5528 South Fort Apache Road

Las Vegas, NV 89148

Attorneys for NEVADA COUNTERTOP CORPORATION

**ORDER**

The parties have stipulated and agreed to the dismissal of the Third-Party Defendant, NEVADA COUNTERTOP CORPORATION, as set forth in the Stipulation, and good cause appearing.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Third-Party Plaintiff, U.S. HOME CORPORATION AND GREYSTONE NEVADA, LLC'S, Third-Party Complaint as to Third-Party Defendant, NEVADA COUNTERTOP CORPORATION, be dismissed with prejudice and to Deem the Settlement Agreement Signed by NEVADA COUNTERTOP CORPORATION. The Parties will each bear their own respective attorney's fees and costs herein.

DATED: December 18, 2017



---

RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

Submitted by:

BROWN, BONN & FRIEDMAN, LLP

---

Kevin A. Brown, Esq. (Bar #7621)  
Jill P. Northway, Esq. (Bar #9470)  
BROWN, BONN & FRIEDMAN, LLP  
5528 South Fort Apache Road  
Las Vegas NV 89148

Attorneys for NEVADA COUNTERTOP CORPORATION